

## **EXHIBIT 4**

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*Counsel to the Debtors and Debtors-in-Possession*

**UNITED STATES BANKRUPTCY COURT  
 SOUTHERN DISTRICT OF NEW YORK**

In re:

MatlinPatterson Global Opportunities Partners II L.P., *et al.*,  
 Debtors.<sup>1</sup>

)  
 ) Chapter 11  
 )

) Case No. 21-11255 (DSJ)  
 )

) (Jointly Administered)  
 )

**SECOND SUPPLEMENTAL DECLARATION OF ELISHA D. GRAFF RELATING TO  
 THE RETENTION AND EMPLOYMENT OF SIMPSON THACHER & BARTLETT  
 LLP AS COUNSEL TO THE DEBTORS PURSUANT TO SECTION 327(a) OF THE  
 BANKRUPTCY CODE, BANKRUPTCY RULES 2014(a) AND 2016, AND LOCAL  
 RULES 2014-1 AND 2016-1, EFFECTIVE AS OF THE PETITION DATE**

I, Elisha D. Graff, being duly sworn, declare the following under penalty of perjury:

1. I am a partner in the law firm of Simpson Thacher & Bartlett LLP ("*Simpson Thacher*" or the "*Firm*"), with an office at 425 Lexington Avenue, New York, New York 10017. I am a member in good standing of the Bar of the State of New York, and there are no disciplinary proceedings pending against me.

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, if any, are: MatlinPatterson Global Opportunities Partners II L.P. (8284); MatlinPatterson Global Opportunities Partners (Cayman) II L.P. (8246); MatlinPatterson Global Partners II LLC (6962); MatlinPatterson Global Advisers LLC (2931); MatlinPatterson PE Holdings LLC (6900); Volo Logistics LLC (8287); MatlinPatterson Global Opportunities Partners (SUB) II L.P. (9209). The location of the Debtors' address is: 600 Fifth Avenue, 22<sup>nd</sup> Floor, New York, New York 10022.



2. This Second Supplemental Declaration provides additional disclosures relating to the retention of Simpson Thacher as counsel to the Debtors. The retention of Simpson Thacher was authorized by Order entered August 5, 2021 [Docket No. 103] (the “**Retention Order**”).

3. This Second Supplemental Declaration supplements the *Declaration of Elisha D. Graff* (the “**Graff Declaration**”), attached as Exhibit A to the *Debtors’ Application for Entry of an Order Authorizing the Retention and Employment of Simpson Thacher & Bartlett LLP as Counsel to the Debtors Pursuant to Section 327(a) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016, and Local Rules 2014-1 and 2016-1, Effective as of the Petition Date* [Docket No. 39], and the Supplemental Declaration of Elisha D. Graff Relating to the Retention and Employment of Simpson Thacher & Bartlett LLP as Counsel to the Debtors Pursuant to Section 327(a) of the Bankruptcy Code, Bankruptcy Rules 2014(a) and 2016, and Local Rules 2014-1 and 2016-1, Effective as of the Petition Date [Docket No. 168] (the “**First Supplemental Declaration**”). Simpson Thacher provides the following update to the Graff Declaration:

**Supplemental Disclosure**

4. In the Graff Declaration, I disclosed Simpson Thacher’s hourly billing rates in effect at the time for matters related to the Debtors’ chapter 11 cases. I also disclosed that the hourly rates are subject to customary annual rate increases typically as of January 1 of each year and step-ups in rates for associates when they advance in class seniority. Graff Decl. ¶ 24(3). In the First Supplemental Declaration, I disclosed the step-ups in rates for associates who advanced in class seniority effective as of September 1, 2021.

5. In accordance with ordinary practice and as disclosed in the Graff Declaration, hourly billing rates for Simpson Thacher timekeepers increased on January 1, 2022 for all of Simpson Thacher’s clients, and not just for these chapter 11 cases. This annual rate increase will



be reflected in Simpson Thacher's monthly fee statement that will be submitted on February 20, 2022, subject to the terms of the Retention Order and the *Order Pursuant to Sections 105(a) and 331 of the Bankruptcy Code, Bankruptcy Rule 2016 and Local Rule 2016-1 Establishing Procedures for Monthly Compensation and Reimbursement of Expenses of Professionals* [Docket No. 105]. The ranges of Simpson Thacher's hourly billing rates, effective as of January 1, 2022, for professionals to be employed on this matter are as follows:

<b>Position and Office</b>	<b>Range of Hourly Rates as of 1/1/22</b>
Partner (US)	\$1,455.00–\$1,965.00
Senior Counsel and Counsel (US)	\$1,395.00–\$1,435.00
Associate (US)	\$695.00–\$1,320.00
Partner (UK)	\$1,570.00–\$2,015.00
Senior Counsel and Counsel (UK)	\$1,430.00–\$1,485.00
Associate (UK)	\$745.00–\$1,395.00
Paraprofessionals and Other Timekeepers	\$235.00–\$600.00

6. This rate structure is appropriate and the same as the rates that Simpson Thacher charges generally for restructuring, workout, bankruptcy, insolvency, and comparable matters, as well as similar complex corporate, securities, and litigation matters whether in court or otherwise, regardless of whether a fee application is required. Simpson Thacher's hourly rates are set at a level designed to fairly compensate Simpson Thacher for the work of its professionals. These rates and the rate structure reflect that such restructuring and other complex matters are typically global in scope and involve great complexity, high stakes, and severe time pressures. As is typical, hourly rates vary with the experience and seniority of the individuals assigned.

7. Simpson Thacher has provided the requisite notice in accordance with paragraph 7 of the Retention Order, and the Debtors have consented to such rate increases.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: January 17, 2022  
New York, New York

/s/ Elisha D. Graff  
Elisha D. Graff  
Simpson Thacher & Bartlett LLP